

2 AAC 60.010 is amended to read:

2 AAC 60.010. Compensation for court-appointed attorneys. Attorneys appointed by the court under Alaska Administrative Rule **12(b)(1)(B)** [(2)(b)(1)(B)] are entitled to be compensated at the rate **set by the office of public advocacy** [OF \$60 PER HOUR FOR IN-COURT REPRESENTATION AND \$50 PER HOUR FOR OUT-OF-COURT WORK]. **Absent authorization under 2 AAC 60.060, total** [TOTAL] compensation for any case **for which the office of public advocacy is responsible for paying a private attorney** will not exceed the following schedule:

(1) Criminal and delinquency cases:

(A) Misdemeanor - \$1,625;

(B) Class C felony - \$4,000;

(C) Class B felony - \$4,875;

(D) Class A felony - \$9,000;

(E) Unclassified Felony - \$20,000;

(F) Probation or parole revocation:

(i) Misdemeanor - \$625;

(ii) Felony - \$1,875;

(G) Post-conviction relief:

(i) Misdemeanor - \$2,500;

(ii) Felony - \$7,500;

(H) Appeals:

(i) Merit or combination merit and sentence - \$7,500;

(ii) Sentence - \$3,125;

(iii) Petition for review or petition for hearing - \$2,500;

(iv) Misdemeanor - \$2,500;

(2) Civil cases:

(A) Child in need of aid proceeding brought under AS 47.10.010(a) - \$5,200;

(B) Protective proceeding under AS 13.26 - \$2,500;

(C) Child custody proceeding - \$6,250;

(D) Appeal - \$7,500.

[(1) MISDEMEANOR DISPOSED OF FOLLOWING PLEA OF GUILTY OR NOLO CONTENDERE, OR BY DISMISSAL - \$400;

(2) MISDEMEANOR DISPOSED OF FOLLOWING TRIAL - \$800;

(3) FELONY DISPOSED OF FOLLOWING A PLEA OF GUILTY OR NOLO CONTENDERE, OR BY DISMISSAL - \$2,000;

(4) FELONY DISPOSED OF FOLLOWING TRIAL - \$4,000;

(5) PROBATION OR PAROLE REVOCATION PROCEEDING OR A PROCEEDING UNDER CRIMINAL RULE 35(B):

(A) MISDEMEANOR - \$350;

(B) FELONY - \$1,000;

(6) APPEAL, INCLUDING COMBINED SENTENCE AND MERIT APPEALS:

(A) FROM THE DISTRICT COURT - \$500;

(B) FROM THE SUPERIOR COURT - \$1,500;

(7) SENTENCE APPEAL:

(A) FROM THE DISTRICT COURT - \$250;

(B) FROM THE SUPERIOR COURT - \$750;

(8) PETITION FOR REVIEW, INCLUDING ANY ADDITIONAL OR SUCCESSIVE PETITIONS IN THE SAME CASE:

(A) FROM THE DISTRICT COURT - \$350;

(B) FROM THE SUPERIOR COURT - \$1,000;

(9) PETITION FOR HEARING, INCLUDING SUCCESSIVE PETITIONS TO THE COURT OF APPEALS AND THE SUPREME COURT IN THE CIRCUMSTANCES PERMITTED BY STATUTE:

(A) IF DENIED - \$750;

(B) IF GRANTED - \$1,000.] (Eff. 7/31/86, Register 99; am ___/___/___, Register ___)

Authority: AS 44.21.410 AS 44.21.420

2 AAC 60.030 is amended to read:

2 AAC 60.030. Compensation for guardians ad litem and investigators.

(a) A guardian ad litem appointed by the court is entitled to be compensated as follows:

(1) An attorney appointed as guardian ad litem is entitled to receive **the compensation provided in 2 AAC 60.010(2).** [\$50 PER HOUR FOR OUT-OF-COURT WORK AND \$60 PER HOUR FOR IN-COURT REPRESENTATION.]

(2) A person other than an attorney appointed as guardian ad litem is entitled to receive compensation in an amount **between** [NOT TO EXCEED] \$25 **and \$50** per hour, **as determined by the office of public advocacy or as otherwise set in a valid contract.**

(3) The maximum compensation for **a guardian ad litem in** any one case involving a **child** [SINGLE FAMILY, IRRESPECTIVE OF THE NUMBER OF CHILDREN IN THE FAMILY WHO ARE REPRESENTED,] will not exceed **\$5,200** [\$1,500] unless excess compensation is **authorized** [APPROVED BY THE PUBLIC ADVOCATE] under 2 AAC 60.060.

(Eff. 7/31/86, Register 99; am ____/____/____, Register ____)

Authority: AS 44.21.410 AS 44.21.420

2 AAC 60.030 is amended by adding a new subsection to read:

(b) A person hired as an investigator may receive compensation in an amount between \$55 and \$65 per hour as determined by the office of public advocacy. (Eff. 7/31/86, Register 99; am ____/____/____, Register ____)

Authority: AS 44.21.410 AS 44.21.420

2 AAC 60.040 is amended to read:

2 AAC 60.040. Extraordinary expenses. Extraordinary expenses for appointed attorneys, **guardians ad litem, and investigators** will be reimbursed only if prior **authorization** [AUTHORITY] has been obtained from the public advocate. In this section, "extraordinary expenses" **means** [ARE LIMITED TO] expenses for:

(1) investigation;

(2) **experts**; [EXPERT WITNESSES; AND]

(3) necessary travel [AND PER DIEM] by the **client** [DEFENDANT], appointed counsel, and witnesses, which may not exceed the rate authorized for state employees;

(4) paralegal services;

(5) interpreter services;

(6) transcription services;

(7) extraordinary copy charges;

(8) record request charges;

(9) psychological or psychiatric examinations; and

(10) immigration opinions. (Eff. 7/31/86, Register 99; am ___/___/___, Register ____)

Authority: AS 44.21.410

2 AAC 60.050 is amended to read:

2 AAC 60.050. Claims for compensation. The first claim for compensation must be submitted to the office of public advocacy, [OFFICE OF PUBLIC ADVOCACY,] on a form provided by that office, on the fifth of the month immediately following the month in which the case is assigned to the appointed individual [WITHIN 30 DAYS AFTER THE APPOINTMENT, AND SUBSEQUENT CLAIMS MUST BE SUBMITTED EVERY 30 DAYS AFTER THAT]. All subsequent claims must be submitted by the fifth of the month for services provided during the preceding month. Submissions that do not comply with this section may result in claims being denied, or compensation being withheld. The public advocate shall approve or disapprove the claims. (Eff. 7/31/86, Register 99; am ___/___/___, Register ____)

Authority: AS 44.21.410 AS 44.21.420

2 AAC 60.060 is amended to read:

2 AAC 60.060. Excess [EXTRAORDINARY]_compensation. The public advocate may, in extraordinary cases, authorize payment of compensation in excess of the amounts prescribed in this chapter. An application for [EXTRAORDINARY] compensation **in excess of amounts prescribed in 2 AAC 60.010 and 2 AAC 60.030** must be submitted [WITHIN 30 DAYS AFTER THE APPOINTMENT] **as soon as the appointed individual identifies a need for excess compensation.** (Eff. 7/31/86, Register 99; am ___/___/___, Register ____)

Authority: AS 44.21.410 AS 44.21.420